IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SIXTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

-

WRIT PETITION NO : 15236 of 2004

Between:

Sri Muppu Ram Reddy S/o Yellaiah
R/o Nagaram Village, Keesara Mandal, Ranga Reddy District

..... PETITIONER

AND

1 The Government of Andhra Pradesh,

rep by Special Deputy Collector and Revenue
Divisional Officer, Ranga Reddy District East Division

at Malakunta, Hyderabad
2 The Mandal Revenue Officer, Keesara Mandal,

at Keesara, Ranga Reddy District

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to pass an order or a direction or a Writ more particularly one in the nature of Writ of mandamus directing the respondents herein not to demolish the constructed structures of petitioner's building situated in H. NO. 8-77/4, Survey No. 354 and 354/02 at Nagaram Village Keesara Mandal, Ranga Reddy District.

Counsel for the Petitioner:MR.Y.VISWESWARA RAO

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following ORDER:

The petitioner, who claims to be in possession of the property in Survey Nos.354 and 354/02 situated at Nagaram Village, Keesara Mandal, Ranga Reddy District, filed the present writ petition complaining that the second respondent-Mandal Revenue Officer, Keesara, is trying to demolish the property in question without conducting any survey and the same is private property in the light of the orders passed by this Court in WP.No.14403 of 2003, dated 29-10-2003.

This Court in WP.No.14403 of 2003 issued directions to the "respondents 1 to 3 therein to have proper demarcation carried out in accordance with law as regards the land in Survey No.354 and have boundaries of the land in Survey No.354/2 situate in Nagaram Village, Keesara Mandal, Ranga Reddy District, fixed within a period of two months from the date of receipt of a copy of the order and in case, it is found that any part of the Government land has been encroached upon, to take effective steps to get rid of the encroachments and also to prevent further encroachments".

In view of the same, the respondents herein are under obligation to fix the survey pertaining to the property in question and only on such fixing the survey, necessary proceedings have to be initiated. In view of the same, the apprehension of the

petitioner that the respondents without following the due procedure are likely to dispossess the petitioner cannot be countenanced. If the respondents failed to follow the due procedure, it is always open for the petitioner to proceed against the respondents for violating the orders, if any.

The writ petition is accordingly disposed of. No costs.

26th AUGUST, 2004.

Note: furnish c.c. by 30-08-2004.

B/o

kvni

To

1 The Special Deputy Collector and Revenue Divisional Officer,

Government of Andhra Pradesh,

Ranga Reddy District East Division

at Malakunta, Hyderabad

2 The Mandal Revenue Officer, Keesara Mandal,

at Keesara, Ranga Reddy District

3 Two CCs to the Government Pleader for Revenue, A.P.High Court Buildings, Hyderabad.(OUT)

4 Two CD copies.